



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

U.S. Patent No.	: 5,815,927	Dated: October 15, 2002
Filing Date	: January 11, 1996	
Granted	: October 6, 1998	
Reissue Filing Date	: October 6, 2000	
Serial No.	: 09/680,697	
Patentee	: Walter W. Collins	
For	: FOLDING KNIFE WITH ACTUABLE SAFETY LOCKING MECHANISM	

BOX M-FEE

United States Patent and Trademark Office
P.O. Box 371611
Pittsburgh, Pennsylvania 15250

Sir:

**DECLARATION OF GERRY GROEN SUPPORTING
APPLICANT'S SUBMISSION OF FIRST U.S. MAINTENANCE FEE AND
SURCHARGE AND STATEMENT OF UNAVOIDABLE DELAY**

Gerry Groen declares as follows:

1. I am the docketing clerk for applicant's attorneys, the intellectual property firm of Kolisch Hartwell.
2. The law firm has a standard docketing system and procedure that has been used for many years and has proven reliable. Reasonable care is used in operating the docketing system. Specifically, each day the firm's receptionist stamps documents received from the PTO with the date the documents are received. The documents are placed with the associated file and given to the docketing clerk, who enters the due date into the docketing system and applies a sticker

to the documents with the docketing date and the clerk's initials as a verification of docketing. In addition, the clerk enters into the docketing system an advance reminder one month prior to the due date. Next, the docketed document and file are given to the attorney in charge of the case. Where appropriate, the cases are delegated to other attorneys to prepare a response, or the attorney in charge prepares the response.

Each day a docket sheet for the day is printed in the morning and distributed to all secretaries, who review the docket sheet and highlight the entries for their respective attorneys. The docket sheet is then handed to the attorney who also reviews the entries and discusses the disposition of each matter with the secretary. This is followed by the docket clerk checking with the secretaries to verify that action is underway for each matter. Thus, the docket clerk's checking is supposed to provide a backup to ensure that entries are brought to the secretary's attention to avoid missing an entry.

3. The standard practice for docketing maintenance fees includes docketing reminders regarding payment of the maintenance fee three months, two months, one month, two weeks, and the day before the maintenance fees are due.

3. I have carefully reviewed the docketing records regarding our file KSW 312RI, which is the above-identified application.

4. On October 25, 2001, I verified via my initialized and dated notes on a copy of an e-mail from Charles DeVoe, an attorney at the law firm, that all maintenance fees were docketed, as shown in Exhibit B.

5. An error occurred in the docketing system and no notice was received regarding the requirement to pay maintenance fees. On October 14, 2002, after the maintenance fees were due, an attorney at the law firm, who upon review of an Office communication, recognized the error and brought the matter to my attention.

6. All statements made of my own knowledge are true and all statements made on information and belief are believed to be true. I understand that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of this application or any patent issuing thereon.

Date:

10/15/08


Gerry Groen



Groen, Gerry

From: DeVoe, Charles
Sent: Thursday, October 25, 2001 11:12 AM
To: Groen, Gerry
Subject: FW: Blackies patent

Our file ksw312ri

-----Original Message-----

From: Douglas Flagg [mailto:d_flagg@msn.com]
Sent: Thursday, October 25, 2001 11:03 AM
To: Chuck DeVoe
Subject: Blackies patent

I got a notice that the maintenance fees are due on 4/6/02 for patent

#5,815,927. I'm sure you have it in your computer.

Thanks,

Doug

Exhibit B
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*all info
do checked
10/25/01
88*